



an award of costs to the prevailing party.” Teague v. Bakker, 35 F.3d 978, 996 (4th Cir. 1994); see Delta Air Lines, Inc. v. August, 450 U.S. 346, 352 (1981); Ellis v. Grant Thornton LLP, 434 F. App’x 232, 235 (4th Cir. 2011) (per curiam) (unpublished).

Federal courts may assess only those costs listed in 28 U.S.C. § 1920. See 28 U.S.C. § 1920; Arlington Cent. Sch. Dist. Bd. of Educ. v. Murphy, 548 U.S. 291, 301 (2006); Crawford Fitting Co. v. J.T. Gibbons, Inc., 482 U.S. 437, 441–43 (1987), superseded on other grounds by statute, 42 U.S.C. § 1988(c); Herold v. Hajoca Corp., 864 F.2d 317, 323 (4th Cir. 1988).<sup>1</sup> Local Civil Rule 54.1 “further refines the scope of recoverable costs.” Howard v. Coll. of the Albemarle, No. 2:15-CV-39, 2017 WL 3754620, at \*1 (E.D.N.C. Aug. 29, 2017) (unpublished) (quotation omitted); see Earp v. Novartis Pharms. Corp., No. 5:11-CV-680, 2014 WL 4105678, at \*1 (E.D.N.C. Aug. 19, 2014) (unpublished); Local Civ. R. 54.1.<sup>2</sup>

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<sup>1</sup> Taxable costs under section 1920 include:

- (1) Fees of the clerk and marshal;
- (2) Fees for printed or electronically recorded transcripts necessarily obtained for use in the case;
- (3) Fees and disbursements for printing and witnesses;
- (4) Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case;
- (5) Docket fees under section 1923 . . . ;
- (6) Compensation of court appointed experts, compensation of interpreters, and salaries, fees, expenses, and costs of special interpretation services.

28 U.S.C. § 1920.

<sup>2</sup> Local Civil Rule 54.1(d)(1) provides a non-exhaustive list of normally recoverable costs:

- (a) those items specifically listed on the bill of costs form. The costs incident to the taking of depositions (when allowable as necessarily obtained for use in the

WorldWide seeks costs for a court reporter, an original deposition transcript, and a video recording for the depositions of Ali and Waly taken on May 20 and 27, 2022. See [D.E. 112-1] 2; [D.E. 112-2] ¶¶ 3a, 3b. WorldWide also seeks costs for obtaining copies of deposition transcripts for three depositions noticed by plaintiffs. See [D.E. 112-1] 2; [D.E. 112-2] ¶¶ 3c, 3d, 3e. Such costs are recoverable. See 28 U.S.C. § 1920(2); Local Civ. R. 54.1; Howard, 2017 WL 3754620, at \*1; Silicon Knights, Inc. v. Epic Games, Inc., 917 F. Supp. 2d 503, 511 (E.D.N.C. 2012). Accordingly, the court grants WorldWide's motion for costs and awards WorldWide \$4,836.40 in costs associated with court reporter fees and deposition transcript fees pursuant to section 1920 and Local Civil Rule 54.1.

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litigation) normally include only the reporter's fee and charge for one transcript of the deposition;

(b) premiums on required bonds;

(c) actual mileage, subsistence, and attendance allowances for necessary witnesses at actual costs, not to exceed the applicable statutory rates, whether the witnesses reside in or out of the district;

(d) one copy of the trial transcript for each . . . party represented by a separate attorney.

Local Civ. R. 54.1(d)(1). Local Civil Rule 54.1(d)(2) also identifies items "normally not taxed, . . . without limitation" as

(a) witness fees, subsistence, and mileage for individual parties, real parties in interest, parties suing in representative capacities, and the officers and directors of corporate parties;

(b) multiple copies of depositions;


(c) daily copies of trial transcripts, unless prior court approval has been obtained.

Local Civ. R. 54.1(d)(2).

II.

In sum, the court GRANTS defendant's application for costs [D.E. 112] and awards WorldWide \$4,836.40 in costs.

SO ORDERED. This 30 day of April, 2024.

  
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JAMES C. DEVER III  
United States District Judge